REMARKS

The Applicant respectfully requests reconsideration in view of the following remarks and amendments. Claims 1, 7, and 9 are amended. Accordingly, claims 1, 3-7, 9 and 11-14 are pending in the application.

I.   Claims Rejected Under 35 U.S.C. § 103

Claims 1, 3-7, 9, and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0029242 filed by Seto (hereinafter "Seto") in view of U.S. Patent No. 5,892,509 issued to Jacobs et al. (hereinafter "Jacobs").

Claim 1, as amended, recites the following elements:

a first image editing unit to edit a low resolution part of an image file stored in the storing unit *in synchronization with receiving* an image editing command from the client;

an informing unit to inform the client other that the image editing process has been completed by the first image editing unit;

a job supplying unit to form a job commanding a high resolution part of the image file stored in the storing unit to be edited *and to insert the job in a queue*; and

a second image editing unit to *asynchronously* edit the high resolution part of the image file stored in the storing unit *with respect to the received image editing command from the client in accordance with the job inserted in the queue by the job supplying unit.*

(emphasis added). The amendments clarify the interrelationship regarding the synchronous and asynchronous editing with respect to receiving an image editing command from the client. Support for the amendments may be found, for example, in paragraphs [0038] and [0096] of the Specification. The cited art fails to teach or suggest these elements as discussed below.

Seto, in contrast, discloses that upon receiving a command from a user, the lab may performing image processing on a low resolution portion of an image to transfer to the user. See Seto, paragraphs [0158] and [0159]; Fig. 11. However, Seto fails to disclose the recited *interrelationship* of *synchronously* editing the low resolution part of an image and *asynchronously* editing the high resolution part of the image in claim 1. The Examiner has also conceded (see page 3 of the Final Office Action) that Seto fails to disclose the elements related to "a job supplying unit" and "a second image editing unit" as recited in claim 1. Moreover, Jacobs

fails to teach or suggest these missing elements. Instead, the section of Jacobs cited by the Examiner discloses displaying a high resolution image (e.g., for editing). See Jacobs, column 10, lines 30-35. However, Jacobs fails to disclose the interrelationship (as recited in claim 1) between "a first image editing unit" that edits a low resolution part of an image file *in synchronization* with receiving a user command and "a second image editing unit" that *asynchronously* edits *the high resolution part of the image file* with respect to the received user command. Moreover, the Applicant notes Jacobs discloses that data for the images is communicated to the high resolution subsystem via the main system bus "in a conventional manner." See Jacobs, column 10, lines 30-33. In this case, the "conventional manner" of communicating is ambiguous and, therefore, should not be considered equivalent to the elements of "a job supplying unit . . . *to insert the job in a queue*," as recited in claim 1. Thus, for at least the reasons set forth above, Seto in view of Jacobs fails to teach or suggest each element of claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 are respectfully requested.

With respect to dependent claims 3-6, these claims depend on claim 1 and incorporate the limitations thereof. Therefore, for the reasons discussed above in connection with claim 1, Seto in view of Jacobs fails to teach or suggest each element of claims 3-6. Accordingly, reconsideration and withdrawal of the rejection of claims 3-6 are respectfully requested.

With respect to independent claims 7 and 9, these claims, as amended, recite analogous limitations to those in claim 1. Thus, for the previous reasons mentioned in connection with claim 1, Seto in view of Jacobs fails to teach or suggest each element of claims 7 and 9. Further, dependent claims 11-14 are patentable over the art of record because each of these claims depends on claim 9. Accordingly, reconsideration and withdrawal of the rejection of claims 7, 9, and 11-14 are respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
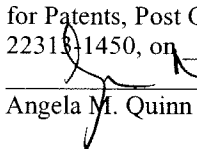

Dated: __February 25__, 2008   __/Michael J. Mallie/_____

                                      Michael J. Mallie   Reg. No. 36,591

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